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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number	08/825,139
Filing Date	August 8, 2001
First Named Inventor	Crooke et al.
Art Unit	1835
Examiner Name	J. Schultz
Attorney Docket Number	ISPH-0598

**ENCLOSURES (Check all that apply)**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input checked="" type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|--|---|--|

Remarks

Customer No. 36441

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	HOWSON AND HOWSON		
Signature	<i>Mary E. Bak</i>		
Printed name	Mary E. Bak		
Date	January 11, 2005	Reg. No.	31,215

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Kelly A. Karstaedt</i>		
Typed or printed name	Kelly A. Karstaedt	Date	January 11, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**JAN 11 2005**

DOCKET NO.: ISPH-0596

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/925,139 Confirmation No.: 3066  
Applicant : Crooke et al.  
Filed: : August 8, 2001  
TC/A.U. : 1635  
Examiner : J. Schultz  
Customer No. : 36441  
Title : ANTISENSE MODULATION OF CHOLESTERYL ESTER  
TRANSFERASE PROTEIN EXPRESSION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**

Sir:

This Letter is being filed to request a refund for the unintentional overpayment of:

- (i) the fees paid on April 16, 2003 associated with the filing of a Request for Continued Examination (RCE) and a Petition for Extension of Time; and
- (ii) the fee paid on December 29, 2003 associated with the filing of an extra claim fee for one independent claim.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

January 11, 2005

Signature

Name

*Kelly A. Karataedt*  
Kelly A. Karataedt

DOCKET NO.: ISPH-0596

PATENT

The facts regarding these overpayments are the following:

- (a) On August 8, 2001, Applicants properly paid the filing fees for this application at the small entity rate, thereby entitling payment of all subsequent fees at the small entity rate.
- (b) On April 16, 2003, a fee of \$1,160 was paid for filing an RCE (\$750) and a Petition for Extension of Time for two (2) months (\$410) as set forth in the Fee Transmittal (Exhibit A).
- (c) On December 29, 2003, a fee of \$86 was paid for filing a Response and Amendment with one extra independent claim as set forth in the Fee Transmittal (Exhibit B).
- (d) In both of these Fee Transmittals, Applicants authorized the US Patent and Trademark Office (USPTO) to charge any overpayments to Deposit Account Number 08-3040.
- (e) On January 7, 2005, Applicants noted that the correct fees paid for the RCE and Petition for Extension of Time for two (2) months filed on April 16, 2003 should have been \$580 (\$375 for the RCE + \$205 for the Petition). Applicants inadvertently overpaid these RCE and Petition fees.
- (f) Applicants also noted on January 7, 2005 that the correct fee paid for the extra independent claim filed on December 29, 2003 should have been \$43. Applicants inadvertently overpaid this extra independent claim fee.

In view thereof, Applicants are requesting that the USPTO credit the overpayment of \$623 (\$580 + \$43) to our Deposit Account No. 08-3040.

DOCKET NO.: ISPH-0596

PATENT

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

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Attorneys for Applicants

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